IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 322 OF 2004

M/S M & M CONSTRUCTIONS,VASCO DA GAMA,GOA. ....Petitioners

Versus

GOA TILLARI IRRIGATION DEVELOPMENT CORPORATION ....Respondents

Mr.C. Mascarenhas, advocate for the petitioners.
Mr. M. S. Joshi, Addl. Govt. Advocate for the respondent.

Coram:- R. M. LODHA, J.

Date:- 19th August, 2005

P.C.

Heard Mr. Mascarenhas learned counsel for the petitioners and perused the impugned Order. The trial Court cannot be said to have committed any error of jurisdiction in rejecting the application for production of secondary evidence.

No interference is called for in extraordinary jurisdiction under Article 227 of the Constitution of India.

The Writ Petition is accordingly dismissed in limine. However, in case the petitioners are required to file appeal against the judgment and decree that will be passed by the trial Court, it would be open to them to challenge the impugned order in appeal.

R. M. LODHA, J.